

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting  
May 5, 1966

Council Chambers, City Hall

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The meeting was called to order with Mayor Palmer presiding.

Roll Call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Absent: None

The Invocation was given by REVEREND MILTON DARE of the Memorial Methodist Church.

APPROVAL OF THE MINUTES

Councilman White moved the Council approve the Minutes of April 28, 1966. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

ANNEXATION ORDINANCE

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.24 OF ONE ACRE OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE T. J. CHAMBERS GRANT IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
 Noes: None

The Mayor announced that the ordinance had been finally passed.

#### DECKER CREEK DAM CONTRACT AWARDED

Mayor Palmer announced it was 10:00 A.M., and the bids would be opened for the construction of the Decker Creek Dam. The City Manager noted three addenda were sent out, and it was indicated each bidder had received all three. He explained the bid was for the dam itself, for the water line and water intake to the dam from the river, and a railroad spur from the Southern Pacific line to the plant. After further explanation on how the bids would be read, the City Manager read bids as follows:

#### DECKER CREEK DAM

Bidder	Bid Bond	Bid Base	Begin Work in Cal. Days
R. N. Adams Const. Co.	\$300,000	\$4,827,919.40	10
Amis Const. Co.	\$300,000	\$4,744,940.00	10
Austin Bridge Co. and M.C. Winters	\$300,000	\$4,974,827.20	20
H. B. Zachry Co.	\$300,000	\$5,335,771.00	30

The bids were referred to the Consulting Engineers, and the Director of Electric Utilities for verification. Later in the afternoon meeting the Council received the recommendation from Brown & Root, Inc., Consulting Engineers, as approved by the Director of Electric Utilities, and also recommended by the City Manager, that on the basis of the lowest and best bid, the contract for the Decker Creek Dam be awarded to AMIS CONSTRUCTION COMPANY at the base bid of \$4,744,940. Mr. Amis said they were in a position to do an excellent job and would do it in a workmanlike manner; and when it is finished, he would assure the City it would be happy with the job. He commended the Engineers and Department for the fine manner in which they prepared the bid items. On Councilman White's inquiry, Mr. Amis stated they would use as many of Austin people who were qualified as possible. Mr. C. W. Weber, Project Engineer, Brown & Root, Inc. noted these were very fine bids, and the City was very fortunate. Councilman Long stated the estimate of the City Engineers and Brown & Root was \$5,090,000 and that this was a good bid.

Councilman LaRue moved the Council award the contract to Amis Construction Company at the base bid of \$4,744,940. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
 Noes: None

## RELEASE OF EASEMENTS

Councilman White offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes in, upon and across a part of Lots 16 and 21, Block 1, Northfield Annex No. 2, a subdivision of a portion of the James P. Wallace Survey Number 57 in the City of Austin, Travis County, Texas, according to a map or plat of said Northfield Annex No. 2 of record in Book 4, at Page 232 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the hereinafter described portion of said easement; and,

WHEREAS, the City Council has determined that the hereinafter described portion of said easement is not now needed and will not be required in the future; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described portion of said public utility easement, to-wit:

Two (2) strips of land, each of the said two (2) strips of land being three (3.00) feet in width and being out of and a part of Northfield Annex No. 2, a subdivision of a portion of the James P. Wallace Survey Number 57 in the City of Austin, Travis County, Texas, according to a map or plat of said Northfield Annex No. 2 of record in Book 4 at Page 232 of the Plat Records of Travis County, Texas, the strip of land hereinafter described as Number One being out of and a part of Lot 16, Block 1, said Northfield Annex No. 2, and the strip of land hereinafter described as Number Two being out of and a part of Lot 21, Block 1, said Northfield Annex No. 2; said strips of land being more particularly described as follows:

NUMBER ONE, being all of the West 66.75 feet of the North Three (3.00) feet of said Lot 16, Block 1, Northfield Annex No. 2.

NUMBER TWO, being all of the West 66.75 feet of the South Three (3.00) feet of said Lot 21, Block 1, Northfield Annex No. 2.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

## SALE OF HOUSE

Councilman Long offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 3, 1966, for the sale and removal of City-owned house located at 1413 Shoal Creek Boulevard; and,

WHEREAS, the bid of Robert L. Ogden, in the sum of \$3,600.00, was the highest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Robert L. Ogden, in the sum of \$3,600.00, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract with Robert L. Ogden.

The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

## BOAT DOCK CONSTRUCTION

Councilman White offered the following resolution and moved its adoption:

## (RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approve the erection of a boat dock on the property owned by JOHN W. BRADFIELD as described in the Travis County Deed Records and known as 2210 West Lake Drive as described on the attached plot plan and hereby authorizes the said John Bradfield to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said John Bradfield has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

#### CONTRACTS AWARDED

Councilman White offered the following resolution and moved its adoption:

##### (RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 29, 1966 for the installation of approximately 360 feet of 8-inch and 1500 feet of 6-inch cast iron water mains in Sara Drive, from Prock Lane to Spur Street; and,

WHEREAS, the bid of Ford-Wehmeyer, Inc., in the sum of \$7,515.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Ford-Wehmeyer, Inc., in the sum of \$7,515.00, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Ford-Wehmeyer, Inc.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

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Councilman White offered the following resolution and moved its adoption:

##### (RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 29, 1966 for the installation of approximately 335 feet of 8-inch sanitary sewer mains in South 2nd Street Easement, from Banister Lane southerly  $\pm$  335 feet; and,

WHEREAS, the bid of Bland Construction Company, in the sum of \$6,972.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Bland Construction Company, in the sum of \$6,972.00, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Bland Construction Company.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 3, 1966, for Southwest Park Swimming Pool and Wading Pool; and,

WHEREAS, the combined bid of Maufrais Brothers and C. G. Puryear, in the sum of \$162,160.00, was the lowest and best bid therefor, and the acceptance of such combined bid is recommended by the supervising Engineer Construction Engineering Division of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the combined bid of Maufrais Brothers and C. G. Puryear, in the sum of \$162,160.00, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute contracts, on behalf of the City, with Maufrais Brothers and C. G. Puryear.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

ZONING ORDINANCE

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOT 6, AND THE EAST 42 FEET OF LOT 7 OF OAKLAND SQUARE, LOCALLY KNOWN AS 102-104 WEST 38TH STREET, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;  
SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS;  
AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### FEDERAL GRANT FOR WATER PLANT

Councilman Long offered the following resolution and moved its adoption:

#### (RESOLUTION)

Resolution authorizing filing of application with the Department of Housing and Urban Development, United States of America, for a grant under P. L. 89-117.

WHEREAS, pursuant to P. O. 89-117 the United States of America has authorized the making of grants to public bodies to aid in financing the construction of basic water and sewer projects:

NOW THEREFORE, Be It Resolved by The City Council of the City of Austin, Texas:

1. That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute and file an application on behalf of The City of Austin, Texas with the Department of Housing and Urban Development, United States Government, for a grant to aid in financing the construction of Water Treatment Plant No. 3, and an assurance of compliance with the Department of Housing and Urban Development regulations under Title VI of the Civil Rights Act of 1964.
2. That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to furnish such information as the Department of Housing and Urban Development may reasonably request in connection with the application which is hereby authorized to be filed.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

#### STREET BLOCKING REQUEST GRANTED

Mr. Jack Andrewartha, representing the Home Builders, appeared before the Council to request the blocking of Dallum Drive in order that the Parade of Homes of Heritage Hills could place a tent on the street to display appliances and furnishings. Councilman Long moved the Council authorize the blocking of Dallum Drive from Northgate to Collinswood from May 5 to July 20. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

#### PROPOSED WATER ORDINANCE

Mrs. Sarah Penn Harris, representing the Austin Committee for Safe Drinking Water, appeared before the Council to read and file a resolution adopted by the Executive Board concerning fluoridation. She requested that an ordinance be passed forbidding raw sewage in Lake Austin. The City Attorney read the ordinance forbidding raw sewage in the lakes and noted that there was also a state law which covered the matter of raw sewage. Mrs. Harris then stated that if the proponents prepared an ordinance and an initiative petition, the Austin Committee for Safe Drinking Water would bring both the petition and ordinance to the Council.

#### MEETING ANNOUNCED

The City Manager announced that a Municipal League Regional Meeting would be held May 11, 1966 at 6:30 P.M. in Lockhart.

#### WATER UTILITIES GRANT

The City Manager reported that he and the Director of Water Utilities had met with the Community Facilities Administration in Dallas, a Division of the Federal Housing Urban Development Facility, to see if the City was eligible for any grants under this program. In order for the City to be eligible for a Federal aid grant to be used for water facility construction, the City would have to submit a complete detailed application for such a grant. After some discussion, Councilman Long moved the Council to authorize the City Manager to execute the application to the Community Facilities Administration of the Housing Urban Development Facilities for a \$1,500,000 grant. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilman LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None



## REQUEST FOR DANCE GRANTED

Councilman Long moved the Council grant the request of Mr. Victor Polance, Jr., for a Sunday dance on May 8, 1966 in the Coliseum. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

## STREET OPENING ANNOUNCED

The City Manager stated that the Council had requested the Assistant City Manager to look into arrangements about the opening of Ed Bluestein Blvd. Mr. Wilson reported that the day selected for the ceremony was Friday, May 27 at 10:00 A.M. and that he and Mr. Woods were in the process of publicizing the program and compiling an invitation list. He then stated that the ceremony would be held south of 19th Street.

## ZONING CASE CONSIDERED

The City Attorney stated that Mr. Buford Stewart owned property zoned residential which adjoined a strip of land owned by the City and that he wished to sell the land to Mr. Sands. He had previously submitted an application to zone the land "LR" but it had been withdrawn. The City Attorney then stated that when Mr. Stewart contracted with Mr. Sands, he was under the impression that his lot fronted on Ben White Boulevard. He later learned that the land did not have the frontage, and that he and Mr. Sands wished to buy the strip between his property and Ben White Boulevard. Councilman Long stated that she did not think the Council would contemplate selling it unless it were zoned commercial or office and suggested that negotiations be made to sell it on that basis. The Council then debated whether or not the land should be divided with a fixed value on each parcel or considered as one piece of property and valued as such. The Mayor concluded that appraisals should be made of all the lots before the Council takes any action.

## CITY LOTS TO BE SOLD

The City Manager noted that the City had previously purchased property in the Marlow Heights Subdivision reaching Touchstone Street for the purpose of expanding the Morris Williams Golf Course. He then stated that when the course was developed, it was found that the frontage on Touchstone Street was not needed and that the lots could be disposed of. The City Attorney asked the Council if they would like to put the lots on the market at one time or establish values for which the property would be sold. After a lengthy discussion, the Council decided to put the lots out on sealed bids.

## LIGHT RATES SET

The Mayor noted that a number of City electric departments throughout the nation were providing a mercury lighting service for various rural areas. He stated that the City would charge a flat rate for the installation and replacement of the light bulbs. He added that an additional fee would be charged where there were no existing poles for the bulbs to be installed. After some discussion, Councilman Long moved the Council authorize the City Manager to establish a flat rate of \$3.00 per month for the mercury electric service with an additional \$1.00 a month in areas where poles had to be installed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

## REPORT SUBMITTED

The Mayor read an interim report on the Urban Renewal activities in Austin from Mr. Wesley Pearson, Chairman of the Board of Commissioners of Urban Renewal. The Mayor then suggested that the Council review the report and take it up for discussion at a later date.

## ANNOUNCEMENTS

The Mayor read a letter from the Chairman of the Sister City Committee containing a request from Dr. Charles Dent. Mr. Dent was requesting the Council to meet eight professors of Journalism from Belo Horizonte at the Municipal Building on Sunday, May 22 at 6:05 P.M. and at the Municipal Building on Tuesday May 24 at 9:00 A.M. The Mayor noted that the Council should make every effort to attend the two events.

The Mayor then read a letter from the Business Manager of the University of Texas and the Board of Regents signed by Mr. Arthur P. Watson, Jr. requesting that an alley in Outlot 63, Division E between 18th and 19th Streets be vacated.

The City Manager stated that the matter was being considered.

## ZONING ORDINANCE

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: A 66,400 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 204-306 CROCKETT STREET AND 2007-2011 WILSON STREET, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the second time and Councilman Long moved the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

RECESSED MEETING

3:00 P.M.

#### HUMAN RIGHTS HEARING

Mayor Palmer called the recessed meeting to order, noting that all Council members were present.

The Mayor announced it was 3:00 P.M. and time for the Citywide Committee of Individuals and Organizations for Human Rights to be heard for two hours. The Council had before it for consideration an ordinance drawn up by the various members of the Committee.

Chief proponents of the ordinance were Dr. Joe Witherspoon, Mrs. James H. Means, Volma Overton and Robert Canino. Mr. Canino, Director of the Committee, stated that the Committee's purpose was to unify ethnic and minority groups in order that they might work with the City to eliminate problems of discrimination. He requested that the Council consider an ordinance with a penal clause which would establish a Human Relations Commission with subpoena powers. Dr. Witherspoon stated that the Human Relations Commission should consist of seven commissioners who would be designated to deal with the problems of human relations and equal opportunity existing in the various community levels. He further mentioned another part of the Committee's proposal which recommended appropriating \$50,000 for the purpose of hiring a human relations specialist. Both Dr. Witherspoon and Professor Charles Wright of The University of Texas Law School stated that since discrimination existed at the local level, it should be dealt with as a local problem. Volma Overton, President of the Austin NAACP made a brief statement endorsing the proposed ordinance and further urged the Council to give greater

advantage to the Civil Rights Act of 1964. After a considerable amount of discussion, City Attorney Doren Eskew explained the Mayor's proposed private corporation plan. Under the Mayor's plan, the Council would informally name nine persons to form the board of a private corporation that would contract with the City of Austin to handle all civil rights matters. The ordinance setting up the Board of Directors to form the corporation did not mention the prohibiting of any specific forms or instances of discrimination. According to Mayor Palmer, the corporation would hold closed sessions to investigate discrimination. Councilman Shanks then moved the Council adopt the Mayor's corporation plan. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

#### ADJOURNMENT

The Council then adjourned.

APPROVED: \_\_\_\_\_

Mayor

ATTEST: \_\_\_\_\_

City Clerk